

Notice of Allowability	Application No.	Applicant(s)	
	10/828,455	ACCAPADI ET AL.	
	Examiner	Art Unit	
	Lev I. Iwashko	2186	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/29/2006.
2. ☒ The allowed claim(s) is/are 1-30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>4/20/2006</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Response to Amendment

1. The amendments made to Claims 1, 3, 6-7, 10-13, 15, 20-21, 24-27, 29, 31, 34-35, and 38-41 have been considered.
2. Claims 2, 4, 8-9, 16, 18, 22-23, 30, 32, and 36-37 have been cancelled.
3. Claims 1, 3, 5-7, 10-15, 17, 19-21, 24-29, 31, 33-35, and 38-42 are now in condition for allowance.

Allowable Subject Matter

4. Claims 1, 3, 5-7, 10-15, 17, 19-21, 24-29, 31, 33-35, and 38-42 are allowed.
5. The following is an examiner's statement of reasons for allowance: The claims that have been amended have been done in a manner that includes the limitations of the claims that were previously noted as allowable if written in independent form. The independent claims will be traversed in detail.
6. Claim 1 now includes the limitations of Claims 2 and 4, which causes the independent Claim to include a specific set of steps of increasing the maximum page ahead value in response to a determination of whether or not the memory is constrained at a certain level. This causes the method of Claim 1 to be unique and novel when combined with the limitations of the original Claims 1 and 2.
7. Claim 7 now includes Claims 8 and 9, which causes the claim to include shift value calculation based on a difference between the freelist value predetermined value and bit shifting by the said value. Since this is a very specific process, it could not be overcome by a combination of prior art. Therefore, Claim 7 is now novel.

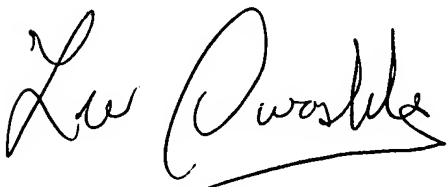
8. Claims 13 and 29 are now novel based on the same principles as Claim 1.
9. Claims 21 and 35 are now novel based on the same principles as Claim 7.
10. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

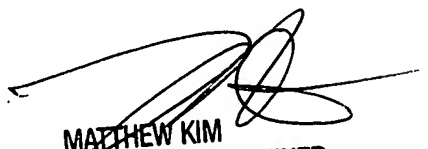
11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lev I. Iwashko whose telephone number is (571)272-1658. The examiner can normally be reached on M-Th, from 8-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matt Kim can be reached on (571)272-4182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Lev Iwashko



MATTHEW KIM
SUPERVISORY PATENT EXAMINER
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